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PATENT
Docket No. GZ 2103.20
GZ Ref. 5036 US2

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Dated:

August 20, 2002

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In re Application for:

Charles A. NICOLETTE

Serial No.: 10/066,474

Filing Date: January 31, 2002

For: MART-1 COMPOUNDS FOR
THERAPY AND DIAGNOSIS AND
METHODS FOR USING SAME

Examiner: Not Yet Assigned

Group Art Unit: 1645

Commissioner for Patents
Washington, D.C. 20231

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. § 1.56, the references listed on the attached forms PTO-1449a and PTO-1449b are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application. The Examiner is requested to make these documents of record.

I. Timing of the Information Disclosure Statement:

This Information Disclosure Statement is filed:

- ☐ With the new patent application submitted herewith (37 C.F.R. § 1.97(a)).
- ☐ Within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 C.F.R. § 1.491.

- ☒ Before the mailing date of a first Office action on the merits. In the event, however, that an Office Action has crossed in the mail with this Information Disclosure Statement, the Commissioner is hereby authorized to charge Deposit Account No. 50-1189 for any fees required pursuant to 37 C.F.R. §§ 1.17(p) or 1.17(i)(1).

This Information Disclosure Statement is filed:

- ☐ After the first Office Action and more than three months after the application's filing date; or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final rejection or a notice of allowance, whichever occurs first, and the Commissioner is hereby authorized to charge Deposit Account No. [] for the fee (\$180) set forth in 37 C.F.R. § 1.17(p) and any additional required fees.

This Information Disclosure Statement is filed:

- ☐ After the mailing date of either a final rejection or a notice of allowance, whichever occurred first, and is accompanied by the fee (\$180.00) set forth in 37 C.F.R. § 1.17(i)(1) and a certification as specified in 37 C.F.R. § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the Information Disclosure Statement.

The undersigned certifies that:

- ☐ Each item of information contained in the Information Disclosure Statement was first cited in any communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

II. Copies of the Cited Items:

- ☐ Copies of all of the items listed on the attached Form PTO-1449 are enclosed.
- ☐ Copies of only the following items listed on the attached Form PTO-1449 are enclosed: _____.
- ☒ Copies of the items listed in the attached Form PTO-1449 are not supplied because they were previously cited by or submitted to the Patent Office in a prior Application No. 09/922,405 filed August 3, 2001 and relied upon in this

application for an earlier filing date under 35 U.S.C § 120.
See 37 C.F.R. § 1.98(d).

- ☐ Copies of those items which are marked with an asterisk (**) in the attached Form PTO-1499 were cited in a foreign examination report in a related case. A copy of the search report and the cited references not already of record in this application are attached hereto.

III. Concise Explanation of Relevance:

- ☒ A concise explanation of relevance of the items listed on Form PTO-1449 is not given.
- ☐ A concise explanation of relevance of [some of] the items listed on Form PTO-1449 is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references (copy attached).

IV. Related Applications:

- ☒ Applicants bring to the Office's attention the following related, co-pending application(s): U.S. Serial No.: 09/922,405, filed August 3, 2001 and PCT Application No. PCT/US01/24328 and PCT/US02/02944, filed August 3, 2001 and January 31, 2002, respectively.

V. Conclusion:

Citation of the above documents shall not be construed as:

1. an admission that the documents are necessarily prior art with respect to the instant invention;
2. a representation that a search has been made, other than as described above; or
3. an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO 1449 with initials or other appropriate marks. The Commissioner is hereby authorized to charge Deposit Account No. 50-1189, billing reference number: 19442-7252 for any additional fees required in connection with the filing of this Information Disclosure Statement.

Respectfully submitted,

Dated: Aug. 20, 2002

By: Antoinette F. Konski
Antoinette F. Konski
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet **1** of **4**

Complete if Known

Applicati n Numb r	10/066,474
Filing Date	January 31, 2002
First Named Inventor	Charles A. NICOLETTE
Art Unit	1645
Examiner Name	Not Yet Assigned
Attorney Docket Number	GZ 2103.20

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. 1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher city and/or country where published	T ²
	1	ALTMAN, J.D. et al. "Phenotypic analysis of antigen-specific T lymphocytes" <i>Science</i> (1996) 274 (5284):94-96	TECH CENTER 1600/2900
	2	BERTONI, R. et al. "Human class I supertypes and CTL repertoires extend to chimpanzees" <i>J. Immunol.</i> (1998) 161 :4447-4455	
	3	BOCZKOWSKI, D. et al. "Dendritic cells pulsed with RNA are potent antigen-presenting cells in vitro and in vivo" <i>J. Exp. Med.</i> (1996) 184 :465-472	
	4	BORDIGNON, C. et al. "Retroviral vector-mediated high-efficiency expression of adenosine deaminase (ADA) in hematopoietic long-term cultures of ADA-deficient marrow cells" <i>PNAS USA</i> (1989) 86 :6748-6752	
	5	BUTTERFIELD, L.H. et al. "Cloning and analysis of MART-1/Melan-A human melanoma antigen promoter regions" <i>Gene</i> (1997) 191 :129-134	
	6	CARTER, B.J. "Adeno-associated virus vectors" <i>Curr. Op. Biotechnol.</i> (1992) 3 :533-539	
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	8	COCKLE, S.M., et al. "Thyrotrophin-releasing hormone-related polypeptides in rabbit prostate and semen are different from those in rabbit hypothalamus" <i>J. Endocrinology</i> (1989) 120 : 31-36	
	9	COLONA, Marco, et al. "Cloning of Immunoglobulin-Superfamily Members Associated with HLA-C and HLA-B Recognition by Human Natural Killer Cells" <i>Science</i> (1995) 268 :405-408.	
	10	CORRELL, P.H. et al. "Production of human glucocerebrosidase in mice after retroviral gene transfer into multipotential hematopoietic progenitor cells" <i>PNAS USA</i> (1989) 86 :8912-8916	
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	15	DiMAIO, J. and B. BELLEAU "Synthesis of chiral piperazin-2-ones as model peptidomimetics" <i>J. Chem. Soc. Perkin Trans.</i> (1989) 1 (9):1687-1689	
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	17	FERGUSON, M.A.J. and A.F. WILLIAMS "Cell-surface anchoring of proteins via glycosyl-phosphatidylinositol structures" <i>Ann. Rev. Biochem.</i> (1988) 57 :285-320	
	18	FUJIHASHI, K. et al. "Cytokine-specific ELISPOT assay single cell analysis of IL-2, IL-4 and IL-6 producing cells" <i>J. Immunol. Meth.</i> (1993) 160 :181-189	
	19	GARVEY, D.S. et al. "3,4-disubstituted γ -lactam rings as conformationally constrained mimics of peptide derivatives containing aspartic acid or norleucine" <i>J. Org. Chem.</i> (1990) 55 (3):936-940	
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	21	HRUBY, V.J. et al. "Emerging approaches in the molecular design of receptor-selective peptide ligands: conformational, topographical and dynamic considerations" <i>Biochem J.</i> (1990) 268:249-262	
	22	ISAKOV, N. et al. "ZAP-70 binding specificity to T cell receptor tyrosine-based activation motifs: The tandem SH2 domains of ZAP-70 bind distinct tyrosine-based activation motifs with varying affinity" <i>J. Exp. Med.</i> (1995) 181:375-380	
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	24	JUNGBLUTH, A. et al. "Expression of melanocyte-associated markers gp-100 and Melan-A/MART-1 in angiomyolipomas" <i>Virchows Arch.</i> (1999) 434:429-345	
	25	KAHN, M. and S. BERTENSHAW "The incorporation of β -turn prosthetic units into merrifield solid phase peptide synthesis" <i>Tetrahedron Lett.</i> (1989) 30(18):2317-2320	
	26	KARLSSON, S. et al. "Stable gene transfer and tissue-specific expression of a human globin gene using adenoviral vectors" <i>The EMBO J.</i> (1986) 5(9):2377-2385	
	27	KAWAKAMI, Y. et al. "Cloning of the gene coding for a shared human melanoma antigen recognized by autologous T cells infiltrating into tumor" <i>PNAS USA</i> (1994) 91(9):3515-3519	
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	29	KAZMIERSKI, W.M. et al. "Topographic design of peptide neurotransmitters and hormones on stable backbone templates: relation of conformation and dynamics to bioactivity" <i>J. Am. Chem. Soc.</i> (1991) 113:2275-2283	
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	43	PAGLIA, P. et al. "Murine dendritic cells loaded in vitro with soluble protein prime cytotoxic T lymphocytes against tumor antigen in vivo" <i>J. Exp. Med.</i> (1996) 183 :317-322	
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	46	PARKER, K.C. et al. "Peptide Binding to MHC Class I Molecules: Implications for Antigenic Peptide Prediction" <i>Immunol. Res.</i> (1995) 14 :34-57	
	47	PARKHURST, M.R. et al. "Improved induction of melanoma-reactive CTL with peptides from the melanoma antigen gp100 modified at HLA-A*0201-binding residues" <i>J. Immunol.</i> (1996) 157 :2539-2548	
	48	al-RAMADI, B.K. et al. "Lack of strict correlation of functional sensitization with the apparent affinity of MHC/peptide complexes for the TCR" <i>J. Immunol.</i> (1992) 155 (2):662-673	
	49	RILL, D.R. et al. "An approach for the analysis of relapse and marrow reconstitution after autologous marrow transplantation using retrovirus-mediated gene transfer" <i>Blood</i> (1992) 79 (10):2694-2700	
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	51	ROUSE, R.J.D. et al. "Induction in vitro of primary cytotoxic T-lymphocyte responses with DNA encoding herpes simplex virus proteins" <i>J. Virol.</i> (1994) 68 (9):5685-5689	
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	54	SCHLESINGER, S. and T.W. DUBENSKY, Jr. "Alphavirus vectors for gene expression and vaccines" <i>Curr Opin Biotechnol.</i> (1999) 10 (5):434-439	
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	59	TANGUAY, S. and J.J. KILLION "Direct comparison of ELISPOT and ELISA-based assays for detection of individual cytokine-secreting cells" <i>Lymphokine Cytokine Res.</i> (1994) 13 (4):259-263	
	60	VALMORI, D. et al. "Induction of potent antitumor CTL responses by recombinant vaccinia encoding a melan-A peptide analogue" <i>J. Immunol.</i> (2000) 164 (2):1125-1131	
	61	van der BURG, S.H. et al. "Immunogenicity of peptides bound to MHC class I molecules depends on the MHC-peptide complex stability" <i>J. Immunol.</i> (1996) 156 :3308-3314	
	62	de VRIES, T.J. et al. "Heterogeneous expression of immunotherapy candidate proteins gp100, MART-1, and tyrosinase in human melanoma cell lines in the human melanocytic lesions" <i>Cancer Res.</i> (August 1, 1997) 57 :3223-3229	
	63	WARE, C.F. et al. "Recognition of HLA-A2 mutant and variant target cells by an HLA-A2 allospecific human cytotoxic T lymphocyte line" <i>J. Immunol.</i> (1983) 131 (3):1312-1317	
	64	WILCHEK, M. and E.A. BAYER "The avidin-biotin complex in bioanalytical applications" <i>Anal. Biochem.</i> (1988) 171 :1-32	
	65	YING, H. et al. "Cancer therapy using a self-replicating RNA vaccine" <i>Nat. Med.</i> (July 19, 1999) 5 (7):823-827.	
	66	ZABROCKI, J. et al. "Conformational mimicry. 1. 1,5-disubstituted tetrazole ring as a surrogate for the cis amide bond" <i>J. Am. Chem. Sci.</i> (1988) 110 :5875-5880	
	67	ZECHEL, C. et al. "Synthetic glucagon antagonists and partial agonists" <i>Int. J. Pep. Protein Res.</i> (1991) 38 (2):131-138	

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ZÜGEL, U. et al. "Termination of peripheral tolerance to a T cell epitope by heteroclitic antigen analogues" *J. Immunol.* (1998) **161**(4):1705-1709

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ZWEERINK, H.J. et al. "Presentation of endogenous peptides to MHC class I-restricted cytotoxic T lymphocytes in transport deletion mutant T2 cells" *J. Immunol.* (1993) **150(5)**:1763-1771

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Application Number	10/066,474
Filing Date	January 31, 2002
First Named Inventor	Charles A. NICOLETTE
Group Art Unit	1645
Examiner Name	Not Yet Assigned
Attorney Docket No.	GZ 2103.20

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Remarks

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual Name	Antoinette F. Konski Bingham McCutchen LLP (formerly McCutchen Doyle Brown & Enersen LLP) Three Embarcadero Center, Suite 1800 San Francisco, CA 94111-4067
-------------------------	--

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Dated: August 20, 2002.

Mary R. Zimmerman

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